

E-File: May 11, 2009

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[Proposed] Attorneys for Debtors and
 Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
 "Rhodes Homes," et al.,¹

Debtors.

Case No.: BK-S-09-14814-LBR
 (Jointly Administered)

Chapter 11

Affects:

☒ All Debtors
☐ Affects the following Debtor(s)

Hearing Date: June 5, 2009
 Hearing Time: 1:30 p.m.
 Courtroom 1

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

**NOTICE OF APPLICATION FOR ORDER UNDER SECTION 327(A) OF THE
BANKRUPTCY CODE AUTHORIZING THE EMPLOYMENT AND RETENTION OF
SULLIVAN GROUP REAL ESTATE ADVISORS AS MARKET RESEARCH
CONSULTANT TO THE DEBTORS AND DEBTORS IN POSSESSION NUNC PRO
TUNC TO THE PETITION DATE**

PLEASE TAKE NOTICE that on May 11, 2009, the above-captioned debtors and debtors in possession (the "Debtors") filed with the Court an application (the "Application") to employ Sullivan Group Real Estate Advisors (the "Firm") as their market research consultant to perform the following services in connection with these chapter 11 cases (the "Cases"):

- a. Conduct market research for purposes of determining the future revenues of the Debtors' over 8,000 homes and lots;
- b. Assess the competitive market relative to residential assets;
- c. Estimate absorption rates of lot sales related to residential assets;
- d. Determine logical pricing for residential assets;
- e. Provide litigation support as needed to the Debtors in connection with residential asset valuation; and
- f. Provide other services that the Debtors may request.

PLEASE TAKE FURTHER NOTICE that a copy of the above-referenced Application is on file with and available from the clerk of the United States Bankruptcy Court for the District of Nevada, Foley Federal Building, 300 S. Las Vegas Blvd., Las Vegas, Nevada 89101; via the bankruptcy court's website at www.nvb.uscourts.gov (a PACER account is required); through the Debtors' claims agent's website: www.omnimgt.com/rhodes; or by calling (866) 989-6144.

PLEASE TAKE FURTHER NOTICE that, subject to the provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules, the United States Trustee Guides, and this Court's rules, the Debtors propose to pay the Firm its customary hourly rates in effect from time to time and to reimburse the Firm according to its customary reimbursement policies. The hourly rates for the professionals working on these cases is as follows: Principal - \$425; Vice President - \$225; Senior Analyst - \$150; and Analyst - \$95.

PLEASE TAKE FURTHER NOTICE that prior to the date of the filing of the Cases (the "Petition Date"), Sullivan received a retainer (the "Retainer") in the amount of \$47,500. During the twelve months prior to the Petition Date, Sullivan received \$72,179 from the Debtors,

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1 including the Retainer. The Debtors do not owe Sullivan any monies as of the Petition Date.
 2 Sullivan is currently holding a Retainer in the amount of \$47,500.

3 **PLEASE TAKE FURTHER NOTICE** that it is contemplated that the Firm will seek
 4 interim compensation during the Cases as permitted by sections 330 and 331 of the Bankruptcy
 5 Code and Bankruptcy Rule 2016. The Firm understands that its compensation in the Cases is
 6 subject to the prior approval of this Court. No compensation will be paid except upon
 7 application to and approval by this Court after notice and a hearing in accordance with sections
 8 330 and 331 of the Bankruptcy Code and Bankruptcy Rule 2016.

9 **PLEASE TAKE FURTHER NOTICE** that any opposition to the requested relief must
 10 be filed and served pursuant to Local Rule 9014(d)(1). If an objection is not timely filed and
 11 served, the relief requested may be granted without a hearing pursuant to LR 9014(d)(3).

12 If you object to the relief requested, you *must* file a WRITTEN response to this pleading
 13 with the court. You *must* also serve your written response on the person who sent
 14 you this notice.

15 If you do not file a written response with the court, or if you do not serve your written
 16 response on the person who sent you this notice, then:

- 17 • The court may *refuse* to allow you to *speak* at the scheduled hearing; and
- 18 • The court may *rule against you* without formally calling the matter at the hearing.

19 **PLEASE TAKE FURTHER NOTICE** that this hearing may be continued from time to
 20 time without further notice except for the announcement of any adjourned dates and time at the
 21 above noticed hearing or any adjournment thereof.

22
 23 **DATED** this 11th day of May, 2009.

24 **LARSON & STEPHENS**

25 /s/ Zachariah Larson, Esq.
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